



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/647,766 Confirmation No.: 2747
Applicant: Somers
Filed: August 25, 2003
TC/A.AU.: Unassigned
Examiner: Unassigned
Docket No.: 04676.105082 ATH 109 CON 6
Customer No.: 20786
Title: Compounds and Methods for the Inhibition of the Expression of VCAM-1

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Transmittal of Information Disclosure Statement

Sir:

The citation of information on the attached Form PTO-1449, "List of Art Cited by Applicant" is made pursuant to 37 C.F.R. §§ 1.56, 1.97, and 1.98. Copies of the following references are enclosed: AM, AN, AO, AP, AR, AV, AW, AY, AZ, AAC, BH, BK, BL, BM, BN, BO, BP, BQ, BR, BU, BZ, CB, CP, DB, DC, DD, DE, DG, DH, DJ, DK, DL, DM, EF, FM, FN, GA, GC, and GD. All other listed references were cited during prosecution of the parent applications U.S.S.N. 09/079,213, now issued as USP 6,147,250, and U.S.S.N. 09/370,046, now issued as USP 6,548,699. The citation of this information does not constitute an admission of priority or that any cited item is available as a reference, or a waiver of any right the applicant may have under applicable statutes, Rules of Practice in patent cases, or otherwise.

Applicant does not believe any fees are due because this paper is submitted before the mailing of a first Office Action on the merits of the application, as under 37 C.F.R. §1.97(b)(3). However, the Commissioner is hereby authorized to charge any fees due or credit any overpayment, to Deposit Account No. 11-0980.

Respectfully submitted,

Madeline I. Johnston
Reg. No. 36,174

Dated August 31, 2004
King & Spalding, LLP
191 Peachtree Street, N.E., Atlanta, GA 30303
Office: (404)572-4600/ Fax: 404-572-5145

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in box addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on August 31, 2004.

Jennifer A. Williams

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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet **1** of **7****Complete if Known**

Application Number	10/647,766
Filing Date	August 25, 2003
First Named Inventor	Somers
Group Art Unit	Unassigned
Examiner Name	Unassigned
Attorney Docket Number	04676.105082 ATH 109 CON 6

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U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pgs, Clmns, Lns, Where Relevant Passages/Relevant Figs Appear
		Number	Kind Code (if known)			
	AA	3,179,701	A	Rocklin	04-20-1965	
	AB	3,479,407	A	Laufer	11-18-1969	
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Examiner
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Considered

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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Complete if Known	
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				Examiner Name	Unassigned
Sheet	2	of	7	Attorney Docket Number	04676.105082 ATH 109 CON 6

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		Number	Kind Code (if known)			
	BA	5,773,231	A	Medford <i>et al.</i>	06-30-1998	
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		Office ³	Number	Kind Code ² (if known)				
	BS	DE	27 16 125	A1	Yoshitomo Pharm. Inds. Ltd.	10-27-1977		
	BT	EP	0,190,682		G.D. Searle & Co.	08-13-1986		
	BU	EP	0,254,272	A2	Merrell Dow Pharmaceuticals Inc.	01-27-1988		
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	BZ	EP	0,418,648	A1	Hoechst AG.	03-27-1991		
	BAA	EP	0,621,255	A1	Adir et Co.	10-26-1994		

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		Office ³ Number	Kind Code ² (if known)					
	CA	EP	0,763,527	A1	Adir et Co.	03-19-1997		
	CB	EP	0,866,049	A2	Univesity of Wales (Swansea)	09-23-1998		
	CC	FR	2,130,975	A5	Robert Aries	11-10-1972		
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	CO	JP	73-28425			12-19-1995		
	CP	WO	93/02051	A2	Pfizer	02-04-1993		
	CQ	WO	94/07869	A1	Zeneca; British Technology Grp.	04-14-1994		
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	CS	WO	95/15760	A1	Merrell Dow Pharmaceuticals	06-15-1995		
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	CV	WO	96/12703	A1	G.D. Searle & Co.	05-02-1996		
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	CZ	WO	98/22418	A1	Hoechst Marion Roussel Inc.	05-28-1998		

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Sheet **4** of **7****Complete if Known**

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First Named Inventor	Somers
Group Art Unit	Unassigned
Examiner Name	Unassigned
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		Office ³	Number	Kind Code ² (if known)				
	DA	WO	98/51289	A2	Atherogenics	11-19-1998		
	DB	WO	98/51662	A2	Atherogenics Inc.	11-19-1998		
	DC	WO	99/15159	A2	Nova Molecular Inc.	04-01-1999		
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	DJ	WO	01/70757	A2,3	Atherogenics	09-27-2001		
	DK	WO	01/79164	A2,3	Atherogenics	10-25-2001		

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
	DL	ANONYMOUS, "AtheroGenics announces positive Phase II results from CART-1 CLINICAL TRIAL for restenosis," (Press Release November 12, 2001).	
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	DQ	BURKLY, L.C., et al., "Protection against adoptive transfer of autoimmune diabetes mediated through very late antigen-4 integrin", <i>Diabetes</i> , 43:529-534 (April 1994).	
	DR	CAREW, et al., "Antiatherogenic effect of probucol unrelated to its hypocholesterolemic effect: Evidence that antioxidants <i>in vivo</i> can selectively inhibit low density lipoprotein degradation in macrophage-rich fatty streaks and slow the progression of atherosclerosis in the Watanabe heritable hyperlipidemic rabbit", <i>Proc. Natl. Acad. Sci. U.S.A.</i> , 84:7725-7729 (November 1987).	

Examiner Signature		Date Considered	
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OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
	EA	COMINACINI, L., <i>et al.</i> , <i>Free Radical Biology and Medicine</i> , 22(1/2):117-127 (1996) XP002095164.	
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	ED	FOLKMAN, J., <i>et al.</i> , "Angiogenesis", <i>J. Biol. Chem.</i> , 267(16):10931-10934 (June 5, 1992).	
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	EH	IADEMARCO, M.F., <i>et al.</i> , "Characterization of the promoter for vascular cell adhesion molecule-1 (VCAM-1)", <i>J. Biol. Chem.</i> 267(23):16323-16329 (August 15, 1992).	
	EI	KAZUYA <i>et al.</i> , <i>J. Lipid Res.</i> , 32:197-204 (1991).	
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	EL	KOCH, A.E., <i>et al.</i> , "Immunolocalization of endothelial and leukocyte adhesion molecules in human rheumatoid and osteoarthritic synovial tissues", <i>Lab. Invest.</i> , 64(3):313-320 (1991).	
	EM	LANKIN, V.Z., <i>et al.</i> , <i>Dokl. Akad. Nauk.</i> , 351(4):554-557 (1996), <i>Chem. Abstracts</i> , AN 127(6):75973u (1997), XP002115597.	
	EN	MAMEDOV, Ch.I., <i>et al.</i> , <i>Mater. Nauchn. Konf. Aspir. Akad. Nauk Az. SSR</i> , 1:127-131 (1980), <i>Chem. Abstracts</i> , AN 94:30290c (1981), XP002115600	
	EO	MAO, S.J., <i>et al.</i> , "Antioxidant Activity of Probucol and Its Analogues in Hypercholesterolemic watanabe Rabbits," <i>Journal of Medicinal Chemistry</i> , 34(1):298-302 (January 1991).	
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	FA	MEDVEDEV, A.I., <i>et al.</i> , <i>Tezisy Dokl. Nauchn. Sess. Khim. Tekhnol. Org. Soedin. Sery Sernistykhh Neftei</i> , 13 th , pages 123-124 (1974), <i>Chem. Abstracts</i> , AN 86(1):5066m (p. 437, 01-03-1977). XP002115601, XP00215594.	
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	FC	MORALES-DUCRET, J., <i>et al.</i> , "α4/β1 integrin (VLA-4) ligands in arthritis: vascular cell adhesion molecule-1 expression in synovium and on fibroblast-like synoviocytes", <i>J. Immunol.</i> , 149(4):1424-1431 (August 15, 1992).	
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	FE	OHKAWARA, Y., <i>et al.</i> , "In situ expression of the cell adhesion molecules in bronchial tissues from asthmatics with air flow limitation: In vivo evidence of VCAM-1/VLA-4 interaction in selective eosinophil infiltration", <i>Am. J. Respir. Cell. Mol. Biol.</i> , 12:4-12 (1995).	
	FF	OROSZ, C.G., <i>et al.</i> , "Role of the endothelial adhesion molecule VCAM in murine cardiac allograft rejection", <i>Immunol. Lett.</i> , 32:7-12 (1992).	
	FG	PARTHASARATHY, S., <i>et al.</i> , "Probucol inhibits oxidative modification of low density lipoprotein", <i>J. Clin. Invest.</i> , 77:641-644 (1986).	
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Application Number	10/647,766
				Filing Date	August 25, 2003
				First Named Inventor	Somers
				Group Art Unit	Unassigned
				Examiner Name	Unassigned
(use as many sheets as necessary)				Attorney Docket Number	04676.105082 ATH 109 CON 6
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	GA	SAWAYAMA, Y., <i>et al.</i> , "Effects of Probucol and Pravastatin on common carotid atherosclerosis in patients with asymptomatic hypercholesterolemia", <i>Journal of the American College of Cardiology</i> , 39(4):610-616 (2002)	
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	GD	WAGNER, Jr., <i>et al.</i> , <i>Chemical Abstracts</i> , AN 82:86189w (1975).	
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